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REPORT NUMBER	SOURCE	CHARACTER OF INFO	SOURCE	US Army Liaison	DATE OF REPORT		
AW 56-55	C-2, DARSUR	D. E. Kaempfer, DAC	Personnel		6 Dec 1955		
Appointments of Permanent BfV President (C)			SUPPLEMENT	EVALUATION	DATE OF INFO.		
			None	B-2	As stated		

(9) Since the defection of Dr. Otto JOHN to the East on 20 July 1954, Dr. Hans JESS, and more recently, Dr. Herbert SCHRUBBERS, have held the position of temporary president of the BfV (Bundesamt fuer Verfassungsschutz - West German Federal Security Agency). It now appears imminent that SCHRUBBERS will be permanently appointed to this post. In accepting the position, SCHRUBBERS has reportedly demanded that certain conditions of pay, prestige, and autonomy be met.

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C-2, USARLAW

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1. (S) In September 1955 it was reported that the present incumbent of the BfV presidency, Dr. Hartart SCHRUEBBER, intended to place certain conditions upon his permanent acceptance of that position at the conclusion of his three-month probationary period. These conditions, all of which are intended to increase the effectiveness, influence, and stature of the BfV presidency, were outlined as follows:

a. Increased Rank for the BfV President. It was stated that SCHRUEBBER would ask that the BfV presidency be raised to the equivalent rank and salary of Ministerialdirektor (presently Oberregierungsrat). Allegedly, the "BfV's" reason for this demand was to ensure that the BfV presidency would be equivalent to the rank of the foreseen future head of the Federal Government planned "Bundesnachrichtendienst" (Federal intelligence service - which is to consist of the so-called "GHELEN Organization") and equivalent of or superior to the present ranks of various heads of the "Landesamt fuer Verfassungsschutz" (LfV's - State security agencies). Both SCHRUEBBER and Vice President Albert RAJKE felt that this increased rank is necessary in order to increase the effectiveness of the BfV president within the German bureaucracy, with private industry, and with foreign intelligence services.

b. Direct Access to Minister and State Secretary in the Federal Interior Ministry. It was stated that SCHRUEBBER would insist that he be given the right of direct access to both the State Secretary and the Federal Interior Minister without the necessity of first going through lower echelon channels in the Ministry. SCHRUEBBER's recommendation would be that arrangements be made for him to brief the State Secretary in the Interior Ministry once a week on a regular basis and that he be permitted direct access to the State Secretary and to the Minister on important matters from time to time. This issue has long been a sore point with BfV officials who have, in the past, been obliged to bring their problems first to lower ranking officials of the Ministry's Department VI (Public Security) and who have thus felt themselves deprived of the opportunity of briefing the Minister and his State Secretary on important problems and of the advantage of presenting these issues directly to these officials.

c. Consultation on Security Matters. In the past the BfV has often been consulted by Interior Ministry officials when questions connected with security have been under consideration by the Ministry. SCHRUEBBER would thus demand that the BfV be consulted and asked for its views prior to any decision or action being taken by the Interior Ministry in the security field.

d. Personnel. Whereas the final decision on BfV personnel has always rested with the Interior Ministry, it was stated that SCHRUEBBER would insist on a free hand in personnel matters and that the BfV be permitted to hire and fire personnel and accept personnel transfers without the interference of the Ministry. This proposal of unrestricted attitude which the Ministry has often exhibited toward the BfV in personnel matters, the case of Ferdinand von SCHOK, a former official of BfV's Department III, was cited. Reportedly, the Ministry, without prior consultation with the BfV, had directed that von SCHOK, a career civil servant, be transferred from the BfV main office to duty in the same position in Bonn. Allegedly, this action would have serious effects on the organization of Department III and it was only with the greatest difficulty that BfV was able to obtain a reversal of the Ministry's transfer order.

2. (S) On 6 October 1955, SCHRUEBBER conferred with two of his higher officials on the subject of his permanent appointment to the BfV presidency. SCHRUEBBER reportedly said that since his appointment was still only probationary, the Federal Government would have the right to either confirm or reject him for the position, but that for his part he, too, had the right to either accept or reject permanent appointment at the end of his probationary period. SCHRUEBBER then listed the above conditions which he proposed to attach to his acceptance of the permanent job. Allegedly, SCHRUEBBER subsequently discussed these conditions with Interior Ministry State Secretary von LIX, who accepted them. It was indicated, however, that there was still the question of whether all the conditions would actually be fulfilled and implemented. As a matter of note, it was further

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G-2, USAREUR

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understood that it had been "Oberbundesanwalt" (Attorney General) WIECHMANN who had originally recommended SCHRUEBBERS for the position of BFV president.

3. (S) A US intelligence official attached to the Bonn Embassy also provided some information with respect to the probable confirmation of SCHRUEBBERS as BFV president. The official reported that during a conversation with State Secretary von LEX on 6 October 1955, the latter stated in response to a question as to whether SCHRUEBBERS would be confirmed in his job, that SCHRUEBBERS is satisfied with the job and is doing well; his approach to people is good; and his salary has been raised to a grade considerably higher than that received by Dr. Otto JOHN in the position (and presently equals that of the Oberbundesanwalt). Von LEX also said that he would insist that SCHRUEBBERS' salary be kept equal to that of General GEBLEN. These remarks were understood to mean that von LEX had no doubt that SCHRUEBBERS would be confirmed in the position.

G-2, USAREUR Comment: (S) In view of the foregoing, there seems to be little doubt that SCHRUEBBERS will be permanently confirmed in his present position as BFV chief at the end of the probationary period. Since the minimum probationary period for Federal officials is three months, it is to be expected that Dr. SCHRUEBBERS will receive official confirmation of his permanent appointment some time during December 1955 or January 1956, at the conclusion of formal administrative action.

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